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Message Text

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ACTION SCS-06

INFO OCT-01 NEA-10 ISO-00 EUR-12 HA-05 SAA-01 CA-01
/036 W
----------096707 041937Z /46
P R 041521Z AUG 78
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 4682
INFO AMCONSUL JERUSALEM

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E. O. 11652: N/A
TAGS: CPRS IS
SUBJ: REM'S PROPERTY CLAIMS

REF.: TEL AVIV 9015 AND PREVIOUS

1. THE SECOND MEETING OF THE SETTLEMENT COMMITTEE WAS HELD ON JULY 26. THE GOVERNMENT OF ISRAEL ANNOUNCED THAT IT IS ITS INTENTION THAT, AS A RESULT OF THE SETTLEMENT, THERE SHOULD REMAIN NO PROBLEMS BETWEEN THE RUSSIAN CHURCHES IN ISRAEL. ALL PENDING CASES BETWEEN THE TWO CHURCHES ARE TO BE DROPPED AND NO FURTHER CLAIMS TO PROPERTY WITHIN ISRAEL WOULD BE LODGED BY EITHER CHURCH. THE GOVERNMENT ALSO ANNOUNCED THAT THE SETTLEMENT WAS TO INCLUDE ALL PROPERTIES IN ISRAEL PROPER (I.E. EXCLUDING THE ADMINISTERED TERRITORIES). THE GOVERNMENT'S OFFER FOR SUCH A SETTLEMENT WAS APPROXIMATELY $2M.

2. THE REM WAS SEVERELY SHAKEN BY THE GOI POSITION. THE REM CONSIDERS THE COMMITTEE TO HAVE BEEN CONVENED TO DISCUSS SETTLEMENT OF THE REM CLAIMS AGAINST THE GOI. THIS WOULD LIMIT CONSIDERATION TO PROPERTIES IN THE OLD RUSSIAN COMPOUND OF JERUSALEM. THE REM, AT THE FIRST MEETING OF THE SETTLEMENT COMMITTEE, HAD PROPOSED A FIGURE OF $30M FOR THE JERUSALEM PROPERTY. IF THE COMMITTEE IS TO CONSIDER LITIGATION FOR
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PROPERTY THROUGHOUT ISRAEL PROPER, IT WOULD ENCOMPASS PRESENT ONGOING LITIGATION CONCERNING 32 DUNAMS OF LAND IN JAFFA OF WHICH 4 DUNAMS, WHICH INCLUDE THE CHURCH AND HOLY PLACES, REM CONSIDERS NON-NEGOTIABLE. THE MINIMUM ESTIMATED VALUE, ACCORDING TO REM, OF THE REMAINING 28 DUNAMS OF LAND IN JAFFA WOULD BE AT LEAST $10M.

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3. BOTH SIDES AGREED TO MEET FOR A THIRD SESSION SOMETIME IN LATE SEPTEMBER.

4. ON AUGUST 1, THE CONSUL GENERAL AT JERUSALEM AND THE CHIEF OF THE CONSULAR SECTION AT TEL AVIV WERE INVITED TO MEET WITH THE REM IN JERUSALEM. UNFORTUNATELY, THE CONSUL GENERAL AT JERUSALEM WAS UNABLE TO ATTEND THE SESSION DUE TO PRESSING PROBLEMS IN LEBANON.

5. IT VERY SOON BECAME CLEAR, THAT THE OBJECTIVE OF THE AUG 1 MEETING WAS TO DETERMINE WHETHER THE POINT HAD BEEN REACHED WHERE USG MIGHT TAKE A MORE ACTIVE ROLE IN THE PROCEEDINGS. IT IS THE CONTENTION OF THE REM THAT SEVEN YEARS OF FRUITLESS LITIGATION PROVES THAT THEY HAVE INDEED EXHAUSTED ALL JUDICIAL RECOURSES AVAILABLE TO THEM. THEY CONSIDER THEIR CLAIM HAS BEEN ELEVATED TO THE POLITICAL REALM WITH A STRONG BIAS BY THE GOI IN FAVOR OF THE SOVIET CHURCH. THEY BELIEVE THEY NEED THE SUPPORT OF THE USG TO ENSURE ANY FAIR CONSIDERATION OF THEIR CLAIMS.

6. MR WILLIAM RAND OF COUDERT BROS. LAW FIRM, NY WILL CALL AT THE DEPARTMENT SOMETIME BEFORE HIS SCHEDULED PARTICIPATION IN A THIRD SETTLEMENT MEETING THIS SEPTEMBER. HE WILL TRY TO PERSUADE THE DEPARTMENT OF THE APPROPRIATNESS OF A MORE ACTIVE U S ROLE. MR RAND MAY TRY TO OBTAIN AN APPOINTMENT WITH ASSISTANT SECRETARY ATHERTON.
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7. MINUTES OF THE JULY 26 MEETING PREPARED BY REM ATTORNEY SCHARF ARE BEING AIRPOUCHED TO THE DEPARTMENT. LEWIS

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